

AMENDED IN ASSEMBLY APRIL 3, 1997
AMENDED IN ASSEMBLY MARCH 13, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 139

Introduced by Assembly Member Poochigian
(Principal coauthors: Assembly Members Brown and
Cunneen)

(Coauthors: Assembly Members Alby, Ashburn, Baldwin,
Battin, Bordonaro, Bowler, Campbell, *Havice*, House,
Knox, Kuehl, Leach, Margett, Miller, Morrissey, Morrow,
Olberg, Pacheco, *Prenter*, *Runner*, Wayne, and Woods)

(Coauthors: Senators Ayala, Haynes, Leslie, Monteith, and
Rainey)

January 16, 1997

An act to amend Section 3058.8 of the Penal Code, relating to parole.

LEGISLATIVE COUNSEL'S DIGEST

AB 139, as amended, Poochigian. Inmate release: notification.

Under existing law, when notice is sent to local law enforcement authorities that a violent felon is scheduled to be released on parole, the paroling authority is also required to send a notice of the inmate's release to all persons who have requested that notice, including victims of, and certain witnesses to, the violent crime for which the inmate was incarcerated. Notice of the inmate's release to the community

in which the person is scheduled to reside is also required to be given if the community is, among other things, within 25 miles of the actual residence of a witness, victim, or family member of a victim who has requested notification.

This bill would change that distance to within 100 miles of the actual residence of any of those persons.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3058.8 of the Penal Code is
2 amended to read:

3 3058.8. (a) At the time a notification is sent pursuant
4 to subdivision (a) of Section 3058.6, the Board of Prison
5 Terms or the Department of Corrections, as the case may
6 be, shall also send a notice to persons described in Section
7 679.03 who have requested a notice informing those
8 persons of the fact that the person who committed the
9 violent offense is scheduled to be released and specifying
10 the proposed date of release. Notice of the community in
11 which the person is scheduled to reside shall also be given
12 if it is (1) in the county of residence of a witness, victim,
13 or family member of a victim who has requested
14 notification, or (2) within 100 miles of the actual
15 residence of a witness, victim, or family member of a
16 victim who has requested notification. If, after providing
17 the witness, victim, or next of kin with the notice, there
18 is any change in the release date or the community in
19 which the person is to reside, the board or ~~the~~ department
20 shall provide the witness, victim, or next of kin with the
21 revised information.

22 (b) In order to be entitled to receive the notice set
23 forth in this section, the requesting party shall keep the
24 department or board informed of his or her current
25 mailing address.

26 (c) The board or department, when sending out
27 notices regarding an offender's release on parole, shall
28 use the information provided by the requesting party in
29 the form completed pursuant to subdivision (b) of



1 Section 679.03, unless that information is no longer
2 current. If the information is no longer current, the
3 department shall make a reasonable attempt to contact
4 the person and to notify him or her of the impending
5 release.

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